

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEWEL E. DYER,
Plaintiff,

v.

TIMOTHY PEARCE, et al.,
Defendants.

Case No. [18-cv-04052-JD](#)

ORDER OF DISMISSAL


Plaintiff, a detainee, has filed a pro se civil rights complaint under 42 U.S.C. § 1983. He has been granted leave to proceed in forma pauperis. Plaintiff alleges that he was denied medical care at Mendocino County Jail and suffered adverse reactions to the water at the facility. Plaintiff previously filed an action with these same allegations. *See Dyer v. Pearce*, No. 17-cv-2640 JD. The original complaint in the earlier action was dismissed with leave to amend to provide more information concerning his claims. Plaintiff filed an amended complaint that contained the medical allegations noted above and he presented many new and unrelated claims against approximately 25 additional defendants. The amended complaint was dismissed with leave to amend for plaintiff to focus on a few related incidents and to identify the specific actions of the defendants and describe how they violated his constitutional rights. Plaintiff was also provided a blank civil rights complaint form to file a new action with his other claims. Plaintiff chose not to file a second amended complaint and instead appealed to the Ninth Circuit. The Ninth Circuit recently denied plaintiff's appeal and concluded that it was frivolous. *Id.* Dkt. No. 34. This complaint is dismissed as duplicative. *See Adams v. Cal. Dept. of Health Services*, 487 F.3d 684,

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688 (9th Cir. 2007).

IT IS SO ORDERED.

Dated: October 5, 2018



JAMES DONATO
United States District Judge

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NORTHERN DISTRICT OF CALIFORNIA

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CERTIFICATE OF SERVICE

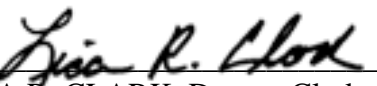
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 5, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jewel E. Dyer ID: A#20559
2100 Napa Vallejo Hwy
Napa, CA 94558-6293

Dated: October 5, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO